

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

RACHEL L. KUNTZ,
ROSEANNE KUNTZ, deceased, and
R.O.B., minor child,

Plaintiffs,

v.

RANDAL LEWIS, Carter County Trustee,
ANDREA LEWIS, and
CHAD LEWIS,

Defendants.

No.: 2:22-CV-34-TAV-CRW

ORDER

This civil matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge Cynthia R. Wyrick on April 28, 2022 [Doc. 5]. In the R&R, Judge Wyrick granted plaintiffs’ motion for leave to proceed *in forma pauperis* [Doc. 2] as to plaintiff Rachel Kuntz. However, Judge Wyrick recommends that the Court deny the motion to the extent that it seeks *in forma pauperis* status on behalf of plaintiffs Roseanne Kuntz or R.O.B. Additionally, after screening the complaint, Judge Wyrick recommends that the Court dismiss all of plaintiffs’ claims for failure to state a claim. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

After a careful review of the matter, the Court agrees with Magistrate Judge Wyrick's recommendations. Accordingly, the Court **ACCEPTS AND ADOPTS IN WHOLE** Magistrate Judge Wyrick's R&R [Doc. 5].

The motion to proceed *in forma pauperis* [Doc. 2] as to plaintiffs Roseanne Kuntz and R.O.B. is **DENIED**. Plaintiffs Roseanne Kuntz and R.O.B.'s claims are hereby **DISMISSED WITHOUT PREJUDICE** and plaintiff Rachel Kuntz's claims are hereby **DISMISSED WITH PREJUDICE**.

There being no further issues before the Court, the Clerk of Court is **DIRECTED** to **CLOSE** the case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE